

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Serial No. 09/705,289

Group:

Inventor: R. A. Mercuri

Filed: February 6, 2001

Title: FLEXIBLE GRAPHITE SHEET
HAVING INCREASED ISOTROPY

Examiner:

RESPONSE TO NOTICE TO FILE CORRECTED APPLICATION PAPERS

Hon. Commissioner of Patents and Trademarks
Washington, DC 20231

Sir:

Applicant will not be filing a petition under options I or II set forth in the
NOTICE TO FILE CORRECTED APPLICATION PAPERS mailed on June 18, 2002.
Applicant accepts the application as filed and will shortly be filing a Preliminary
Amendment to cancel references to the omitted figures.

WADDEY & PATTERSON
A Professional Corporation
Respectfully submitted,
JAN 17 2003


Lucian Wayne Beavers
Registration No. 28,183

WADDEY & PATTERSON
A Professional Corporation
Customer No. 23456
ATTORNEY FOR APPLICANT



This attorney is located at our Nashville, Tennessee office and can be contacted directly at:

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CERTIFICATE OF FIRST CLASS MAILING

I hereby certify that this RESPONSE TO NOTICE TO FILE CORRECTED APPLICATION PAPERS is being deposited with the United States Postal Service on the date noted below as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Claire Ulanoff

A handwritten signature in cursive script, appearing to read "Claire Ulanoff", written over a horizontal line.

8-15-02

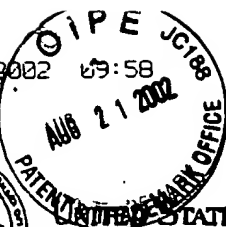
Date

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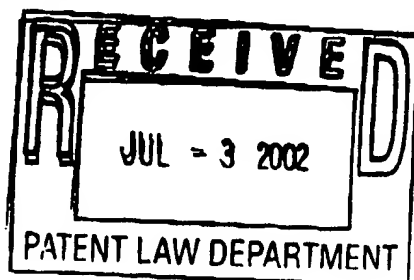
Page 1 of 2

COPY OF PAPERS
ORIGINALLY FILED

UNITED STATES PATENT AND TRADEMARK OFFICE

 COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/705,289	02/06/2001	Robert Angelo Mercuri	P-1017

 James R Cartiglia
 Grafech Inc
 3102 West End Avenue
 Suite 1100
 Nashville, TN 37203


CONFIRMATION NO. 4708

FORMALITIES LETTER



OC000000008305868

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Date Mailed: 06/18/2002

NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

- Figure(s) 1A, 2, 2 A,B, C, 3, 3 A, 4, 5, 6, 6 A, 7, 8, & 8 A described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

*A copy of this notice **MUST** be returned with the reply.*

N. Khouri
Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY